



05-2406 IFW

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT : Wilson, et al.
SERIAL NUMBER : 10/664,610 EXAMINER : Louise Wang Zhiying
Humphrey
FILING DATE : September 16, 2003 ART UNIT : 1648
FOR : PROPHYLACTIC AND THERAPEUTIC HIV APTAMERS

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

TRANSMITTAL LETTER

Transmitted herewith for filing in the above-referenced patent application are the following documents:

1. Supplemental Information Disclosure Statement (2 pages), in duplicate;
2. Modified Form 1449/PTO (6 pages), in duplicate;
3. Copies of cited references B4-B14 and C5-108; and
4. Return postcard.

If the enclosed papers are considered incomplete, the Mail Room and/or the Application Branch is respectfully requested to contact the undersigned at 617-542-6000, Boston, Massachusetts.

The Commissioner is authorized to charge any additional fees that may be due, or to credit any overpayment, to the undersigned's account, Deposit Account No. 50-0311 Ref. No. 23239-538. A duplicate copy of this transmittal letter is enclosed herewith.

Respectfully submitted,

Ivor R. Elrifi, Reg. No. 39,529
Ivor R. Elrifi, Reg. No. 39,529
Attorney for Applicants
MINTZ, LEVIN, COHN, FERRIS,
GLOVSKY and POPEO, P.C.
One Financial Center
Boston, Massachusetts 02111
Tel: (617) 542-6000
Fax: (617) 542-2241
Customer Number 30623

Dated: May 22, 2006

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



APPLICANT : Wilson, et al.

SERIAL NUMBER : 10/664,610

EXAMINER : Louise Wang Zhiying
Humphrey

FILING DATE : September 16, 2003

ART UNIT : 1648

FOR : PROPHYLACTIC AND THERAPEUTIC HIV APTAMERS

Mail Stop Amendment

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Pursuant to the duty of disclosure under 37 C.F.R. §§1.56, 1.97 and 1.98, Applicant hereby makes of record the documents listed on the attached modified Form PTO-1449, as well as copies of the listed documents.

This Supplemental Information Disclosure Statement is being filed before the mailing of a first Office Action on the merits. Accordingly, no fee or certification is believed required.

Copies of patent references A3-A38 are not provided under the waiver of 37 C.F.R.

§ 1.98(a)(2)(i).

It is respectfully requested that the Examiner consider completely the cited information, along with any other information, in reaching a determination concerning the patentability of the present claims, and sign the enclosed form PTO-1449 to evidence that the cited information has been fully considered by the Patent and Trademark Office during the examination of this application.

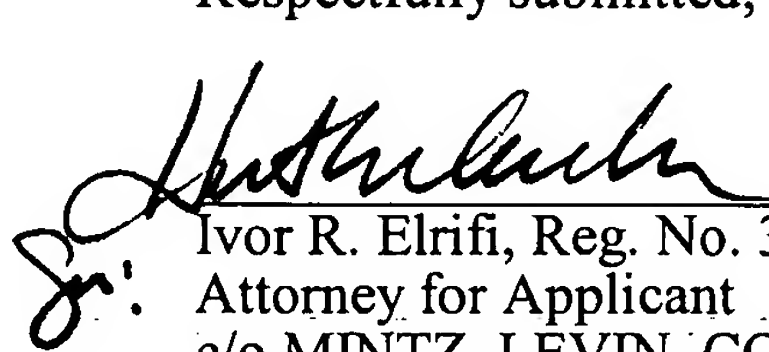
By submitting this Supplemental Information Disclosure Statement, the Applicant makes no representation that: (1) a search has been performed, of the extent of any search performed, or that more relevant information does not exist; (2) the information cited in the Statement is, or is considered to be, material to patentability as defined in 37 C.F.R. §1.56(b); and (3) the information cited in the Statement is, or is considered to be, in fact, prior art as defined by 35 U.S.C. §102.

APPLICANTS: **Wilson, et al.**
U.S.S.N.: **10/664,610**

Notwithstanding any statements by the Applicant, the Examiner is urged to form his/her own conclusion regarding the relevance of the cited information. An early and favorable action is hereby requested.

Please charge any fees that may be due, or credit any overpayment of same, to Deposit Account No. 50-0311, Reference No. 23239-538.

Respectfully submitted,

 *R/V. 45,4109*

Ivor R. Elrifi, Reg. No. 39,529
Attorney for Applicant
c/o MINTZ, LEVIN, COHN, FERRIS,
GLOVSKY and POPEO, P.C.
One Financial Center
Boston, Massachusetts 02111
Tel: (617) 542-6000
Fax: (617) 542-2241
Customer No. 30623

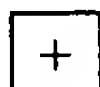
Date: May 22, 2006

TRA 2154828v.1



Express Mail No.: EV461508866US
Date of Deposit: May 22, 2006

Please type a plus sign (+) in this box



Modified Form 1449/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT (use as many sheets as necessary)	Application Number	10/664,610
	Filing Date	September 16, 2003
	First Named Inventor	Wilson et al.
	Group Art Unit	1648
	Examiner Name	Humphrey, Louise Wang Zhiying
	Attorney Docket Number	23239-538

U.S. PATENT DOCUMENTS							
Exam Initials	Cite No.	U.S. Patent Document No.	Issue Date	Name of Patentee(s) or Applicant(s)	Class	Sub Class	Filing Date If Appropriate
	*A3	4,683,195	07/28/87	Mullis			
	*A4	4,801,530	01/31/89	Nogueira et al.			
	*A5	4,894,325	01/16/90	Engelhardt et al.			
	*A6	4,935,363	06/19/90	Brown et al.			
	*A7	4,959,309	09/25/90	Dattagupta et al.			
	*A8	5,070,010	12/03/91	Hsu			
	*A9	5,118,801	06/2/92	Lizardi et al.			
	*A10	5,270,163	12/14/93	Gold et al.			
	*A11	5,338,671	8/16/94	Scalice et al.			
	*A12	5,459,015	10/17/95	Janjic et al.			
	*A13	5,496,938	03/05/96	Gold et al.			
	*A14	5,503,978	04/12/96	Schneider et al.			
	*A15	5,567,588	10/22/96	Gold et al.			
	*A16	5,580,737	12/03/96	Polisky et al.			
	*A17	5,635,615	06/03/97	Allen et al.			
	*A18	5,637,459	06/10/97	Burke et al.			
	*A19	5,648,214	07/15/97	Nieuwlandt et al.			
	*A20	5,654,151	08/05/97	Allen et al.			
	*A21	5,660,985	08/26/97	Pieken et al.			
	*A22	5,683,867	11/04/97	Biesecker et al.			
	*A23	5,691,145	11/25/97	Pitner et al.			
	*A24	5,705,337	01/06/98	Gold et al.			
	*A25	5,707,796	01/13/98	Gold et al.			
	*A26	5,723,323	03/03/98	Kauffman et al.			
	*A27	5,756,703	05/26/98	Stein et al.			
	*A28	5,763,173	06/09/98	Gold et al.			
	*A29	5,763,177	07/09/98	Gold et al.			

Express Mail No.: EV461508866US
 Date of Deposit: May 22, 2006

U.S. PATENT DOCUMENTS							
Exam Initials	Cite No.	U.S. Patent Document No.	Issue Date	Name of Patentee(s) or Applicant(s)	Class	Sub Class	Filing Date If Appropriate
	*A30	5,789,157	08/04/98	Jensen et al.			
	*A31	5,859,228	01/12/99	Janjic et al.			
	*A32	5,861,254	01/19/99	Schneider et al.			
	*A33	5,958,691	09/28/99	Pieken et al.			
	*A34	5,989,823	11/23/99	Jayasena			
	*A35	6,011,020	01/04/00	Gold et al.			
	*A36	6,013,443	01/11/00	Heilig et al.			
	*A37	6,020,130	02/01/00	Gold et al.			
	*A38	6,051,698	04/18/00	Janjic et al.			
U.S. PUBLISHED APPLICATION DOCUMENTS							
Exam Initials	Cite No.	U.S. Published Application No.	Published Date	Name of Patentee(s) or Applicant(s)	Class	Sub Class	Filing Date If Appropriate

Express Mail No.: EV461508866US
Date of Deposit: May 22, 2006

FOREIGN PATENT DOCUMENTS							
Exam Initials	Cite No.	Foreign Patent Office	Document Number	Name of Patentee(s) or Applicant(s)	Date of Publication	Translation Yes	No
	B4	EP	0592035	Scalice, E. et al.	04/13/94		
	B5	UK	2 183 661 A	Ballivet, M. et al.	06/10/87		
	B6	PCT	WO89/06694	Trustees of University of Pennsylvania	07/27/89		
	B7	PCT	WO91/14436	ISIS Pharmaceuticals, Inc.	10/03/91		
	B8	PCT	WO 91/19813	The University of Colorado Foundation, Inc.	12/26/91		
	B9	PCT	WO92/05285	Fred Hutchinson Cancer Research Center	04/02/92		
	B10	PCT	WO92/07065	Max-Planck Gesellschaft ...	04/30/92		
	B11	PCT	WO92/14842	Gilead Science, Inc.	09/03/92		
	B12	PCT	WO92/14843	Gilead Science, Inc.	09/03/92		
	B13	PCT	WO98/18480	Nexstar Pharmaceuticals, Inc.	05/07/98		
	B14	PCT	WO99/31276	Nexstar Pharmaceuticals, Inc.	06/24/99		

OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS		
Exam Initials	Cite No.	Name of Author, Title (when appropriate), Publication, Volume, Page(s), Date, Etc.
	C5	Andrake (1988) Proc. Natl. Acad. Sci. USA 85:7942-7946
	C6	Barnett et al., (2001) J. Virol 75:5526-5540
	C7	Belshe et al., (1994) JAMA. 272: 431
	C8	Burton (1997) Proc Natl Acad Sci U S A. 94: 10018-10023
	C9	Carey et al., (1983) Biochem. 22(11):2601-2610
	C10	Chen et al. (1994) Biochem. 33:8746-8756
	C11	Cohen et al. (1969) Proc. Natl. Acad. Sci. USA 63:458-464
	C12	Cohen J. (1994) Science 264: 1839
	C13	Conrad et al., (1996) Methods. Enzymol. 267: 336-367
	C14	Cormier et al., (2000) PNAS 97: 5762-5767
	C15	Cummins et al., (1995) Nucl. Acids. Res. 23: 2019-2024
	C16	Davis et al. (1996) Methods in Enzymology Vol. 267(18): 302-314
	C17	Dehouck et al., (1996) Biology and Physiology of the Blood Brain Barrier, Couraud and Scherman eds., Chapter 23, pp. 143-146
	C18	Doranz et al., (1999) J. Virol. 73: 10346-10358
	C19	Dougan et al., (2000) Nucl. Med. Biol. 27: 289-297
	C20	Ellington & Szostak (1990) Abstracts of papers presented at the 1990 meeting on RNA Processing, Cold Spring Harbor Laboratory, Cold Spring Harbor, NY, Pg. 84
	C21	Emini et al., (1992) Nature 355: 728-730

Express Mail No.: EV461508866US
Date of Deposit: May 22, 2006

OTHER PRIOR ART – NON PATENT LITERATURE DOCUMENTS		
Exam Initials	Cite No.	Name of Author, Title (when appropriate), Publication, Volume, Page(s), Date, Etc.
	C22	Evans et al., (2001) Vaccine. 19: 2080-2091
	C23	Fitzwater et al., (1996) Methods in Enzymology vol. 267:275-301
	C24	Fouts et al., (2002) PNAS. 99: 11842-11847
	C25	Gaschen et al., (2002) Science. 296: 2354-2360
	C26	Gath et al., (1996) Biology and Physiology of the Blood Brain Barrier, Couraud and Scherman eds., Chapter 25, pp. 153-158
	C27	Graham BS. (2002) Annu Rev Med. 53: 207-221
	C28	Green et al., (1995) Chemistry and Biology 2:683-695
	C29	Jellinek et al., (1994) Biochemistry 33:10450-10456
	C30	Jellinek et al., (1995) Biochemistry 34(36):11363-11372
	C31	Joyce & Inoue (1989) Nucleic Acids Research 17:711-722
	C32	Joyce (1989) Gene 82:83-87
	C33	Kacian et al. (1972) Proc. Natl. Acad. Sci. USA 69:3038-3042
	C34	Kadonaga et al. (1986) Proc. Natl. Acad. Sci. USA 83:5889-5893
	C35	Kahn et al., (1994) J Infect Dis. 170: 1288-1291
	C36	Kalams et al., (2000) HIV Vaccines 2000: Prospects and Challenges. In "The Human Immunodeficiency Virus", Princeton University Press, Princeton, N.J. pp 481-509
	C37	Kellogg et al., (1994) BioTechniques 16:1134-1137
	C38	Kinzler & Vogelstein (1989) Nucleic Acids Research 17:3645-3653
	C39	Kinzler et al. (1990) Mol. Cell. Biol. 10:634-642
	C40	Kowalski et al., (1987) Science. 237: 1351-1355.
	C41	Kramer et al. (1974) J. Mol. Biol. 89:719-736
	C42	Kraus et al., (1998) Journal of Immunology 160:5209-5212
	C43	Kwong et al., (1998) Nature. 393: 648-659
	C44	Kwong et al., (2002) Nature. 420: 678-682
	C45	Langlois et al., (1998) J Virol. 72: 6950-6955
	C46	Leonard et al., (1990) J Biol Chem. 265: 10373-10382
	C47	Lestienne et al. (1983) Biochimie. 65:49-52
	C48	Levisohn & Spiegelman (1968) PNAS USA 60:866-872
	C49	Levisohn & Spiegelman (1969) PNAS USA 63:805-811
	C50	Lu et al., (1995) Nat Struct Biol. 2: 1075-1082
	C51	Ma and Ptashne (1987) Cell 51: 113-119
	C52	Maniatis (1982) Molecular Cloning: a Laboratory Manual, Cold Spring Harbor, NY pg.118
	C53	Maniatis et al. (1987) Science 236: 1237-1245
	C54	Martin et al., (2003) Nature Biotechnology. 21: 71-76
	C55	Mascola et al., (1996) J Infect Dis. 173: 340-348
	C56	McGaughey et al., (2003) Biochemistry. 42: 3214-3223
	C57	Miele et al. (1983) J. Mol. Biol. 171:281-295

Express Mail No.: EV461508866US
Date of Deposit: May 22, 2006

OTHER PRIOR ART – NON PATENT LITERATURE DOCUMENTS		
Exam Initials	Cite No.	Name of Author, Title (when appropriate), Publication, Volume, Page(s), Date, Etc.
	C58	Mills et al. (1967) Proc. Natl. Acad. Sci., USA 58:217-220
	C59	Mills et al (1973) Science 180:916-927
	C60	Min et al (1988) Nucleic Acids Res. 16:5075-5088
	C61	Moore et al., (1988) AIDS Research and Human Retroviruses 4(5):369-379
	C62	Moulard et al., (2002) Proc Natl Acad Sci U S A. 99: 6913-6918
	C63	Muesing et al. (1985) Nature 313:450-458
	C64	Nixon et al., (1999) Immunol Lett.;66(1-3):219-228
	C65	Oliphant & Struhl (1987) Methods in Enzymology 155:568-582
	C66	Oliphant & Struhl (1988) Nucleic Acids Research, 16:7673-7683
	C67	Oliphant et al. (1986) Gene 44:177-183
	C68	Oliphant et al. (1989) Mol. Cell. Biol. 9:2944-2949
	C69	Orgel (1979) Proc. R. Soc. Lon. B205:435-442
	C70	Ou et al. (1988) Science 239:295-297
	C71	Pieken et al., (1991) Science. 253: 314-317
	C72	Poignard et al., (2001) Annu Rev Immunol. 19: 253-274
	C73	Prince et al., (1991) AIDS Res Hum Retroviruses. 7: 971-973
	C74	Profy et al., (1990) J Immunol. 144: 4641-4647
	C75	Putkonen et al., (1991) Nature. 352: 436-438
	C76	Richman et al., (2003) PNAS. 100: 4144-4149
	C77	Rizzuto et al., (1998) Science. 280: 1949-1953
	C78	Robertson & Joyce (1990) Nature 344:467
	C79	Romaniuk et al. (1987) Biochem. 26(6):1563-1568
	C80	Ruckman et al., (1998) J. Biol. Chem. 273: 20556-20567
	C81	Saffhill et al. (1970) J. Mol. Biol. 51 :531-539
	C82	Sambrook et al. (1989) Molecular Cloning: A Laboratory Manual, Cold Spring Harbor, NY, Section 8.9-8.10
	C83	Sattentau et al., (1991) J Exp Med. 174: 407-415.
	C84	Sattentau et al., (1993) J Virol. 67: 7383-7393
	C85	Singleton et al., Dictionary of Microbiol. & Molec. Biol., Wiley & Sons, New York, NY, 2nd ed. p. 493
	C86	Sood et al., (1977) Nucleic Acids Res 4(8):2757-2765
	C87	Soukup and Breaker (1999) Structure 7(8):783-791
	C88	Sproat et al., (1991) Nucleic Acids Res 19(4): 733-738
	C89	Starcich et al., (1986) Cell. 45: 637-648
	C90	Sullivan et al., (1998) J Virol. 72: 6332-6338
	C91	Szostak, Structure and Activity of Ribozymes, Redesigning the Molecules of Life, (SA Benner ed.) Springer-Verlag Berline Heidelberg, pp. 87-113 (1988)
	C92	Tanchou et al. (1994) Aids Research and Human Retroviruses 10:983-993
	C93	Thali et al., (1993) J Virol. 67: 3978-3988

Express Mail No.: EV461508866US
Date of Deposit: May 22, 2006

OTHER PRIOR ART – NON PATENT LITERATURE DOCUMENTS		
Exam Initials	Cite No.	Name of Author, Title (when appropriate), Publication, Volume, Page(s), Date, Etc.
	C94	Thiesen & Bach (1990) Nucleic Acids Research 18:3203-3209
	C95	Trkola et al., (1996) Nature. 384: 184-187
	C96	Trkola et al., (1996) J Virol. 70: 1100-1108
	C97	Tucker et al., (1999) J. Chromatography B. 732: 203-212
	C98	Tuerck and Gold (1990) Science 249(4968):505-510
	C99	Tyagi et al., (1996) Nature Biotechnology 14:303-308
	C100	Uhlenbeck et al. (1983) J. Biomolecular Structure and Dynamics 1:539-552
	C101	Watanabe M (2003) Nature Medicine. 9: 376
	C102	Watson et al (1987) Molecular Biology of the Gene. Benjamin/Cummings Publishing Co., Inc. California, pp. 267,295,323,361,394,396,397 and 405
	C103	Wei et al., (2003) Nature. 422: 307-312
	C104	Wu et al., (1996) Nature. 384: 179-183
	C105	Wu et al., (1997) J. Exp. Med. 185: 1681-1691
	C106	Yamamoto and Kumar (2000) Genes to Cells 5:389-396
	C107	Zhang et al., (1999) Biochemistry. 38: 9405-9416
	C108	Zhang et al., (2001) Biochemistry. 40: 1662-1670

* By the waiver of 37 CFR 1.98(a)(2)(i) copies of the U.S. Patents A3-A38 are not submitted.

Examiner Signature		Date Considered	
--------------------	--	-----------------	--

EXAMINER: Initial if reference considered whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered.

Include copy of this form with next communication to applicant.